




Interoffice Memorandum

**AGENDA ITEM**

October 24, 2019

TO: Mayor Jerry L. Demings  
-AND-  
Board of County Commissioners

FROM: Jon V. Weiss, P.E., Director   
Planning, Environmental, and Development  
Services Department

CONTACT PERSON: **David Jones, P.E., CEP, Manager  
Environmental Protection Division  
(407) 836-1405**

SUBJECT: November 12, 2019 – Consent Item  
Chuck Hollow, Inc. Conservation Area Impact Permit #CAI-  
19-08-045.  
(Related to Comprehensive Plan Amendment #2019-2-A-4-2)

Chuck Hollow, Inc. (applicant) is requesting a Conservation Area Impact (CAI) Permit to impact 5.21 acres of Class II wetlands, 2.16 acres of Class III wetlands, and 1.55 acres of required upland buffer in order to construct 256 multi-family residential dwelling units and associated infrastructure.

The project site is comprised of two adjacent parcels located at 12400 and 12464 East Colonial Drive in east Orange County. The parcel identification numbers are 23-22-31-0000-00-012 and 23-22-31-0000-00-013, respectively. The project site is in a highly urbanized area, located approximately 2 miles southeast of the University of Central Florida. The project site is also identified as an infill area based on its proximity to mass transit, its location within the Urban Service area, being located within a quarter mile of a major street, and not within a Joint Planning Area. The parcels are bounded by Woodbury Road to the west, State Road 50 to the north, State Road 408 and an associated stormwater pond to the east, and a multi-family residential housing development to the south. The project site is located in District 4.

The project site is located within the Econlockhatchee River Basin. Pursuant to Orange County Code, Chapter 15, Article, XI, Sec. 15-442(f) (Basin-wide regulations), "Upland buffers averaging fifty (50) feet in width with a minimum of twenty-five (25) feet in width shall be required for Class I and II conservation areas as such areas are defined in section 15-364."

The project site is 10.08 acres in total size, including 5.21 acres of Class II wetlands, 2.16 acres of Class III wetlands, and 1.55 acres of required upland buffer area. The wetlands on the site are in the northern and southern portion of the site. A small pocket of uplands separate the two wetland areas. A maintained power transmission line traverses the northern wetland in an east-west direction. Historically, the onsite wetland systems were part of a larger unnamed wetland tributary system that ultimately discharged into the Econlockhatchee River, located several miles away to the east and north. Over time, much (99%) of the historic wetland system to the west has been lost to development. As the system continues east, it has been greatly impacted by the construction of the State Road 408 travel lanes and medians. In fact, the construction of the expressway in this area allowed the once onsite Class I wetlands to be reclassified to Class II wetlands. The wetlands survive mostly on rainfall but have no upstream water sources contributing to its hydrologic regime.

The applicant is requesting approval to impact all of the onsite wetlands (7.37 acres) and required upland buffer (1.55 acres) in order to construct the multi-family residential buildings and associated infrastructure, including parking, two entrances, and a stormwater system.

As mitigation for the wetland and upland buffer impacts, the applicant proposes to purchase 4.49 wetland credits from the TM-Econ Mitigation Bank. The purchase of 4.49 wetland credits also includes compensation for 0.18 acre of secondary impacts to wetlands that extend offsite to the east.

Pursuant to Orange County Code, Chapter 15, Article X and XI, EPD staff has evaluated the permit application and required documentation. The applicant must also demonstrate that impacts to the wetlands have been adequately avoided or minimized.

The following are considerations evaluated as part of this permit application:

- The onsite wetlands are a moderately functional remnant system of a once larger, more robust system. The purchase of credits at a mitigation bank provides for long term, higher functioning habitat.
- No access to the site was allowed from the north by the Florida Department of Transportation due to the location of the southbound State Road 408 on ramp. This required the access to the site to be located at least 750 feet south of Colonial Drive on Woodbury Road. A secondary access to the site from the south was requested for safety concerns.
- The existing east-west power line limits what type of uses are allowed within the easement area.
- The applicant evaluated reducing the number of buildings. It was determined that loss of any buildings would render the project unfeasible but moreover, EPD determined that any remaining wetland fragments would have only negligible habitat value.

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- The applicant is requesting a lower number of parking spaces than required by Code.
- The applicant has demonstrated that the stormwater pond is sized (i.e. not oversized) in accordance with the appropriate stormwater criteria for the Econlockhatchee River basin.

Based on the documentation and justifications provided by the applicant, the Environmental Protection Division (EPD) has determined that there are no other feasible or practical alternatives available to avoid or minimize impacts to wetlands. In accordance with 15-396(3)(b) and (c), the applicant has demonstrated that mitigation is being provided and is not contrary to the public interest. Finally, in accordance with Sec. 15-444 (a), the applicant has met the requirements of 15-443.

There has been no enforcement action taken by EPD on the subject property.

EPD staff has evaluated the CAI Permit request and required documentation and has made a finding that the request is consistent with Orange County Code, Chapter 15, Article X, Wetland Conservation Areas Ordinance and Article XI, Econlockhatchee River Protection Ordinance and recommends approval.

**ACTION REQUESTED: Acceptance of the findings and recommendation of Environmental Protection Division staff to approve the request for Conservation Area Impact Permit No. CAI-19-08-045 for Chuck Hollow, Inc. District 4**

JVW/DJ: mg  
Attachments

# Conservation Area Impact Permit Request

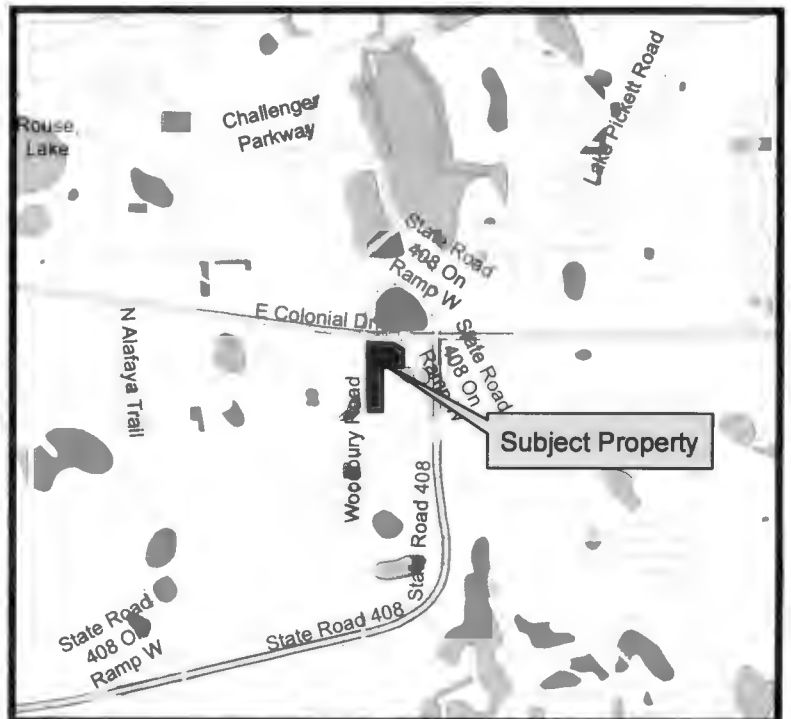


**Conservation Area Impact  
Permit No. CAI-19-08-045  
District 4**

**Applicant: Chuck Hollow, Inc.  
Address: 12400 & 12464 E S.R. 50  
Parcel IDs: 23-22-31-0000-00-012  
23-22-31-0000-00-013**

**Project Site** 

**Property Location** 



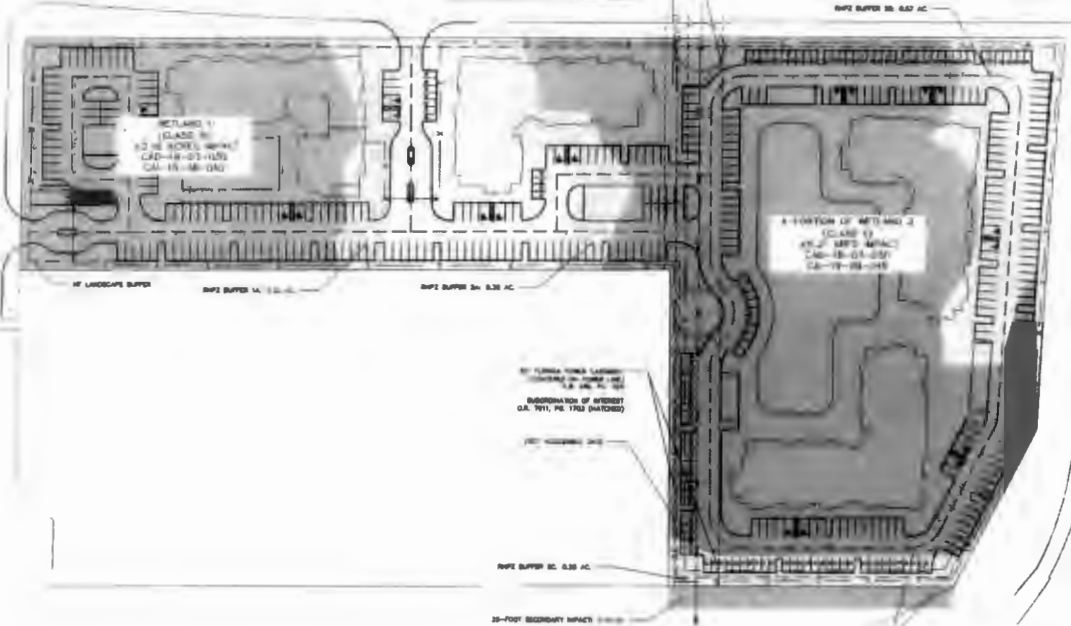
**RECEIVED**  
 OCT 21 2019  
 BY: *[Signature]*

MT FLORIDA POWER RAILROAD  
 (CONTAINED ON ADJACENT LOT)  
 S.S. 077, PG. 102  
 SUBORDINATION OF INTEREST  
 O.R. 2846, PG. 488 (MATCHED)

**WOODBURY ROAD**  
 105' PUBLIC RIGHT OF WAY

PER O.R. 1390, PG. 89, O.R. 4165, PG. 3880, O.R. 9903, PG. 3365 AND PG. 26, PG. 16

UNNAMED STREET  
 VARIABLE WIDTH PUBLIC RIGHT OF WAY  
 PER O.R. 5450, PG. 4182



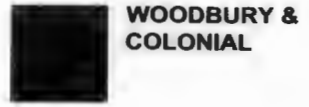
STATE ROAD 408  
 VARIABLE WIDTH LIMITED ACCESS RIGHT OF WAY  
 PER R/W MAP SECTION 75060

LEGEND  
 RETAINMENT AREA  
 BUFFER AREA  
 SECONDARY IMPACT AREA

DEVELOPMENT HOTEL	
33-33-2-000-00-013	
33-33-2-000-00-013	
PLANNED 15,200 SF	
PROPERTY ADDRESS	1525 S. STATE ROAD 50
TOTAL EXISTING LAND AREA	15.20 AC
NET DEVELOPABLE AREA	0 ACRES SURFACE 0.00 AC
EXISTING FUTURE LAND USE	COMMERCIAL
PROPOSED FUTURE LAND USE	PD-4000
EXISTING ZONING	O-1
MAXIMUM HEIGHT	35 BLU/AC (MAX)
PROPOSED ZONING	ALLOWABLE 35 DA/AC
MINIMUM OPEN SPACE PER SECTION 30-113A	20%
SUPPORT SPACES	20%
TRAFFIC SIGNAL	113 PM PEAK TRIPS
TRAFFIC SIGNAL	73 STUDENTS
DEVELOPMENT CRITERIA	70%
MAX IMPERVIOUS AREA	50%
MAX BUILDING HEIGHT	60 FT - 4 STORES
MAXIMUM DISTANCE FROM CENTERLINE TO END OF DRIVEWAY	1 1/2 SPACES/AV
MAXIMUM DISTANCE FROM CENTERLINE TO END OF DRIVEWAY	2 SPACES/AV
ALLOWABLE COMPACT SPACES (SEE NOTES)	100 SPACES
PARKING SPACES	217
TOTAL TOTAL PARKING	217

STATE ROAD 50  
 200' PUBLIC RIGHT OF WAY  
 PER R/W MAP SECTION 75060

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**PRELIMINARY SITE PLAN**

10/04/19 - CONTACT MICHAEL DEPREE, P.E. (407) 427-1830

GRAPHIC SCALE IN FEET  
 0 30 60 120  
  
**Kimley Horn**